

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORGAN ART FOUNDATION LIMITED,
Plaintiff,
-against-
MICHAEL MCKENZIE, et al.,
Defendants.

1:18-cv-04438 (JLR) (BCM)

ORDER

JENNIFER L. ROCHON, United States District Judge:

By separate order today, the Court is amending the existing Order of Reference to Magistrate Judge Moses to include the parties' August 15, 2023 submissions. *See* ECF Nos. 505, 507. Given that it has been over five years since the parties previously stated whether they consent to the Magistrate Judge upon the issuance of a referral and the Amended Order of Reference includes potentially dispositive motions, and to promote judicial efficiency and achieve a faster disposition of the remainder of this matter, it is further ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before Magistrate Judge Moses.

If both parties consent to proceed before Magistrate Judge Moses, they must, by **August 30, 2023**, submit to the Court a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to the Amended Order of Reference (and also available at <https://nysd.uscourts.gov/forms/consent-proceed-us-magistrate-judge>). If the Court approves that form, all further proceedings will then be conducted before Magistrate Judge Moses rather than before this Court. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this Court if the consent form were

not signed and so ordered. An information sheet on proceedings before magistrate judges is also attached to the Amended Order of Reference.

If any party does not consent to conducting all further proceedings before the Magistrate Judge, the parties must file a joint letter, by **August 30, 2023**, advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. No adverse consequences will result from the withholding of that consent. In that joint letter, the parties shall also advise the Court whether they request a referral to a settlement conference.

Dated: August 16, 2023
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge